



**MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.

Teleconference Only - No Physical Location

**Regular Meeting
May 3, 2022**

Backup Recording	Zoom
Minute Orders	M22-079 – M22-087
Resolutions	R22-037 – R22-037
Ordinance	ORD22-03 USED

9:00 AM Call meeting to Order by Chair Gardner

Supervisors Present: Corless, Duggan, Gardner, Kreitz, and Peters (all attended via teleconference).

The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015, forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Supervisor Duggan.

“Never ever underestimate the importance of having fun.”
- Chair Gardner

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- None.

2. RECOGNITIONS

A. Proclamation Designating the Month of May 2022 as Mental Health Month

Departments: Behavioral Health

(Robin Roberts, Behavioral Health Director) - Each year millions of Americans face the reality of living with a mental illness. In designating May 2022 as Mental Health Month, Mono County joins the national movement to raise awareness about mental health and to provide education and reduce stigma around mental health. Mono County Behavioral Health has planned activities and events to recognize Mental Health Month.

Action: Approve proclamation designating May 2022 as Mental Health Month.

Robin Roberts, Behavioral Health Director:

- Presented item
- Thanks to Behavioral Health staff
- Report on activities planned to recognize Mental Health Month

Loving Challenge from Robin Roberts:

- Find two people today and tell him why they are important to you.
- Remember people who typically become invisible – learn their name

Supervisor Corless:

- Ask the Clerk to post list of activities to this meeting page

Corless motion. Kreitz seconded.

Vote: 5 yes, 0 no

M22-079

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments

John Craig, Assistant CAO:

- Budget (working with Megan M and Departments) March 23, 24, 25
- Civic Center Ribbon Cutting March 23, at 9 – 10 am
- Provided update on Mono Lake Room in Mammoth Civic Center

Supervisor Corless:

- Request Agenda Item – talk about meetings being held remotely

Stacey Simon, County Counsel:

- Helpful to discuss AB-361 as an agenda item, currently on the consent agenda: Resolution Making Findings under AB 361.

4. DEPARTMENT/COMMISSION REPORTS

Jeff Simpson, Economic Development Manager:

- Fish allotment CDFW.... 70% of normal
- Agenda Discussion immediate future fish stocking

Supervisor John Peters:

- Suggested an Agenda Item about fish stocking

Francie Avitia, Social Services Program Manager:

- Significant changes to Medi-Cal
- Provided update on new eligibility requirements

Justin Nalder, Solid Waste Superintendent:

- Community Clean Up events

Scheereen Dedman, Clerk-Recorder-Registrar:

- Ballots will be mailed out May 9
- Poll Workers

Wendy Sugimura, Community Development Director:

- Prescriptive Designs project proceeding on target
- April planning commission – black point mine
- Housing

Janet Dutcher, Finance Director:

- Financing for Jail Project

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

Items B, C, E, F, G – Consent

Duggan motion. Kreitz seconded.

Vote: 5 yes, 0 no

Pull 5A. – Peters

Pull 5D. – Kreitz

A. Out-of-State Travel for the 2022 Annual NACo Conference

Departments: Clerk of the Board

Out-of-state travel for Mono County Supervisors Rhonda Duggan, Bob Gardner and John Peters to attend the National Association of County's Annual Conference and Exposition in Adams County (Aurora), Colorado, July 21-24 with Supervisor Peters attending as the Registered Voting Delegate.

Action: Approve out-of-state travel for Mono County Supervisors Rhonda Duggan, Bob Gardner and John Peters to attend the National Association of County's Annual Conference and Exposition in Adams County (Aurora), Colorado, July 21-24 with Supervisor Peters attending as the Registered Voting Delegate.

Fiscal Impact: Up to \$3,000 per Supervisor for conference registration, hotel stay, and travel of which a total of \$3,000 is expected to be reimbursed from other external funding sources. While this event was not included in the Board of Supervisors' budget for FY 2021-22, staff have submitted a third quarter budget adjustment for the Board's consideration on May 10th to provide additional funding.

Supervisor Peters:

- His travel expenses are paid by NACo, he is not requesting monies from the County

Scheereen Dedman, Clerk:

- Would like to bring this back next week

John Craig, ACAO:

- Would like to bring this back next week

Item was pulled from Consent

B. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 3/31/2022.

Action: Approve the Treasury Transaction Report for the month ending 3/31/2022.

Duggan motion. Kreitz seconded.

Vote: 5 yes, 0 no

M22-080

C. Quarterly Investment Report

Departments: Finance

Investment Report for the Quarter ending 3/31/2022.

Action: Approve the Investment Report for the Quarter ending 3/31/2022.

Duggan motion. Kreitz seconded.

Vote: 5 yes, 0 no

M22-081

D. Resolution Making Findings under AB 361 - Related to Remote Meetings

Departments: County Counsel

Proposed resolution making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of May 3, 2022, through June 2, 2022.

Action: Adopt resolution making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of May 3, 2022, through June 2, 2022.

Peters motion. Duggan seconded.

Vote: 4 yes, 1 no

R22-037

Roll Call:

Corless: Y

Duggan: Y

Gardner: Y

Kreitz: N

Peters: Y

Supervisor Kreitz:

- Hybrid meetings -In support of
- How do we now move on and create infrastructure so that when this bill goes away then we are ready as a county
- Invest in rural communities – so that they can have hybrid meetings
- Does not support

E. Amendment to Contract with Municipal Resources Group

Departments: CAO

Proposed amendment to agreement with Municipal Resources Group, LLC (MRG) pertaining to the provision of human resources, strategic planning, and emergency preparedness services.

Action: Approve, and authorize CAO to sign, contract amendment with MRG to increase the contract limit from \$102,000 to \$127,000 for the period through June 30, 2022, and to establish contract limits of \$75,000 for the periods July 1, 2022, through June 30, 2023, and July 1, 2023, through December 31, 2024.

Duggan motion. Kreitz seconded.

Vote: 5 yes, 0 no

M22-082

F. Contract with Baxter's for Custodial and Campground Management Services

Departments: Public Works

Proposed contract with Baxter's pertaining to Custodial and Campground Management Services.

Action: Approve, and authorize CAO to sign, contract with Baxter's for Custodial and Campground Management Services for the period May 1, 2022, through May 1, 2023,

and a not-to-exceed amount of \$123,514.

Supervisor Kreitz:

- How do we now move on and create infrastructure so that when this bill goes away then we are ready as a county
- Invest in rural communities – so that they can have hybrid meetings
- Does not support

Chair Gardner:

- We need to have this discussion as an agenda item

Peters motion. Duggan seconded.

Vote: 5 yes, 1 no

M22-083

G. FY21/22 RSTP Funding Agreement

Departments: Public Works - Roads

The annual funding through the Regional Surface Transportation Program (RSTP) apportionment is a major source of revenue for Mono County's Road maintenance programs. Although the amount is based on a statewide formula that has not increased over the years, the RSTP funding and the annual gas tax apportionment continue to be one of the foundations of Public Works' Road Division. The exchange agreement allows the State to forward non-federal highway apportionments directly to the Road Fund and the County maintains total control over how those funds are expended.

Action: Approve and authorize Chair's signature on the FY21/22 Federal Exchange and State Match Agreement for allocation of Federal Surface Transportation Program Funds through the State's Regional Surface Transportation Program.

Duggan motion. Kreitz seconded.

Vote: 5 yes, 0 no

M22-084

6. CORRESPONDENCE RECEIVED - NONE

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

7. REGULAR AGENDA - MORNING

A. Inyo National Forest and BLM Seasonal Fire Outlook Briefing

Departments: Board of Supervisors, sponsored by Supervisor Gardner

(Lesley Yen, Inyo NF Supervisor; Larry Pingel, Inyo NF / Bishop BLM Interagency Fire Mgmt Officer; Lance Rosen, BLM Asst District Fire Mgmt Officer Central CA

Region; Heather Stone, BLM Supervisory Natural Resource Specialist for Fuels and Vegetation Mgmt) - Inyo National Forest and Bureau of Land Management staff will provide Seasonal Fire Outlook Briefing.

Action: None.

Lesley Yen, Inyo NF Supervisor:

- Introduced Item
- Provided overview of Fire Restriction Process

Larry Pingel, Inyo NF / Bishop BLM Interagency Fire Mgmt Officer:

- Presented Item

Lance Rosen, BLM Asst District Fire Mgmt Officer Central CA Region

- Foresees long fire-season this summer
- Staffing is short

Heather Stone, BLM Supervisory Natural Resource Specialist for Fuels and Vegetation Mgmt

- Available for questions

Supervisor Peters:

- Asks for clarity as to why we have staffing issues

Lance – biggest reason is due to pay 20 percent more pay in other areas and there is a change in generational change in the amount of work and outdoor work

Supervisor Corless:

- Residents fully support early Fire Restrictions
- Inquires about a new program – preseason information on firefighting plans and operations – PODS: Potential Operational Delineations Services

Break: 10:37 AM

Reconvened: 10:48 AM

B. PUBLIC HEARING: Moratorium on New Short-Term and Transient Rentals

Departments: Community Development Department

(Bentley Regehr, Planning Analyst) - Proposed ordinance temporarily suspending County permitting of new short-term or transient rental operations of residential units. Options are provided which include applying the temporary suspension to single-family and/or multi-family units, as well as applying the temporary suspension within residential and/or non-residential land use designations.

Action: Adopt proposed urgency ordinance ORD22-03, an interim ordinance of the Mono County Board of Supervisors Temporarily Suspending the Permitting of New Short-Term and Transient Rentals of Residential Units in Specified Land Use Designations. The ordinance may be modified per the options described in the staff report, or in some other fashion as the Board may direct. If a moratorium is adopted, provide direction on processing transient rental applications already accepted by the County as of the ordinance's effective date. [4/5 vote required.]

Public Hearing Opened: 10:48 AM

Bentley Regehr, Planning Analyst:

- Presented item
- Shared data collected
- Presented options

Wendy Sugimura, Community Development Director:

- Thanks Bentley
- Explains approval system – difficult regulatory system

Two points of clarification:

1. Units are all residential construction in nature -would not impact hotels/motels, commercial constructions on non-residential construction
2. Staff is suggesting that applications that are received after March 1, could not be process

Public Comment:

- Donald Morton
- Alicia Vennos
- Lia Webb
- Ron Day

Bentley Regehr, Planning Analyst:

- Monitoring workforce housing created
- Timeframes

- Consensus for Option 3, effective immediately, May 3

Stacey Simon, County Counsel:

Adopt proposed urgency ordinance with following changes

1. Exclude multifamily units
2. Take effect only to as effect for apps received May 3 or later

Moved to following item to allow time for staff to revise proposed Ordinance.

Public Hearing Opened: 10:48 AM

Public Hearing Closed: 1:02 PM

Kreitz motion. Corless seconded.

Vote: 4 yes, 1 no

ORD22-03

Roll Call:

Corless: Y

Duggan: Y

Gardner: Y

Kreitz: Y

Peters: N

Moved to Item 8.

C. Funding Proposal for Hydrologic Groundwater Model of the Tri-Valley

Departments: County Counsel, Community Development

(Stacey Simon, County Counsel; Wendy Sugimura, Community Development Director)

- Request to Inyo-Mono Integrated Regional Water Management (IRWM) Group for funding to develop a hydrologic groundwater model of the Tri-Valley area (Chalfant, Benton and Hammil Valleys) on behalf of the Tri-Valley Groundwater Management District.

Action:

- (1) Consider input provided by the Tri-Valley Groundwater Management District and approve and authorize staff to submit project description/funding request to the Inyo-Mono Integrated Regional Water Management (IRWM) Group for \$199,000 to develop a hydrologic groundwater model of the Tri-Valley/Fish Slough area.
- (2) Direct staff to include up to \$22,000 for project management and grant administration in the 2022-23 annual budget, using funds previously allocated for the County's participation in the Owens Valley Groundwater Authority.

Michael Draper, Planning Analyst:

- Presented Item

Wendy Sugimura, Community Development Director:

- Continued discussion of proposal
- One percent of the cost of the grant, administration fee for IRWM; County may choose to contractor out the project management and Grant Administration Project Management from the county standpoint – per Grant Requirements are being met and project is staying on track not to conduct any of the work on the project.
- Discussed isotopes – findings from Inyo County
- Priority is to get the model done so we can incorporate and understand how usage in one part of the basin effects water levels in another part of the basin and model that moving forward

Stacey Simon, County Counsel

- If board would like to request funds for Isotopes - we would ask for that direction
- Monitoring locations is the highest priority – discusses other sources of funding
- Clarifies for Supervisor Duggan – what current funding includes
- Isotopes Study – clarifies details and priorities

Supervisor Duggan:

- In support of Wendy - County not doing the actual work, it's the sponsor of the grant process and in support of Tri-Valley to do the work themselves
- Supports the action

- Needs clarification on funding

Supervisor Corless:

- In support of seeking funding to manage this resource

Direction - All supervisors in support of further isotope study which includes additional funding noted up to \$30,000

Duggan motion. Corless seconded.

Vote: 5 yes, 0 no

M22-085

D. COVID-19 (Coronavirus) Update

Departments: Public Health

(Bryan Wheeler, Public Health Director; Dr. Caryn Slack, Public Health Officer) - Update on Countywide response and planning related to the COVID-19 pandemic.

Action: None.

Bryan Wheeler, Public Health Director:

- Presented Item
- Discussed the Avian Flu H5N1 – very infectious
- Options for medication – Optimum: has a test to treat program
- Rite Aid or Von – do need a prescription

Dr. Caryn Slack, Public Health Officer:

- Anti-Viral medications – federal government has access to medications, Tioyobe Clinic is our local clinic that can provide

Supervisor Corless:

- Asks about availability of anti-viral medications locally

E. Mountain View Fire Update and Review of Emergency Declarations

Departments: Mountain View Fire Emergency Operations Center

(Justin Nalder, MVF EOC Director) - Review of continuing need for Board of Supervisor's November 17, 2020, Declaration of Local Emergency of and Mono County Health Officer's November 19, 2020, Declaration of Local Health Emergency for the Mountain View Fire.

Action: Find that there is a need to continue the local state of emergency declared on November 17, 2020, and/or the local health emergency declared on November 19, 2020 (ratified by the Board on November 24, 2020).

Justin Nalder, MVF EOC Director:

- Presented Item
- Contractor completing most of final clean up

- Cause of the fire is still undetermined
- Fee waiver update – reach out to Justin for more information

Stacey Simon, County Counsel:

- Clarifies the motion

Peters motion. Duggan seconded.

Vote: 5 yes, 0 no

M22-086

F. Fiscal Loss of Revenue Report for Fees Eliminated by Assembly Bill 1869

Departments: Finance

(Janet Dutcher, Finance Director) - On December 21, 2021, the County received \$39,797 to backfill penalty revenue lost from the repeal of various criminal administrative fees. Pursuant to Government Code Section 29553(e) and added by Assembly Bill 143, the County is required to send a Fiscal Loss of Revenue Report to the State for fees eliminated by Assembly Bills 1869 and 177 in the last three most recent years of collection. Finance has compiled a schedule of lost revenue and prepared the required reports for Board approval. The reports are required to be distributed to the Joint Legislative Budget Committee, The Department of Finance, and the Legislative Analyst's Office.

Action: Approve the County's Fiscal Loss of Revenue Report to the State's three offices from Fiscal Years Ended June 30, 2019, 2020, and 2021, and authorize the Chair of the Board's signature prior to distribution to the California State Legislature, the Legislative Analyst's Office, and the California Department of Finance.

Janet Dutcher, Finance Director:

- Presented Item

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

M22-087

Moved to Item 9.

8. CLOSED SESSION *is Items 8A and 8C*

Stacey Simon, County Counsel:

- *No longer a need for Item 8B*

Closed Session: 1:04 PM

Reconvened: 2:30 PM

No action to report out of Closed Session.

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Janet Dutcher, John Craig, Patty Francisco, and Oliver Yee. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

B. Closed Session - Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One.

C. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of cases: (1) *County of Mono v. K.R. Property Development and Real Estate, LLC, et al.* (Mono County Superior Court Case # CV200081); (2) *County of Mono v. Silver State Investors, LLC* (Mono County Superior Court Case # CV22UCM41); (3) *County of Mono v. City of Los Angeles, et al.* (California Court of Appeal, 1st District, Case # A162590).

9. BOARD MEMBER REPORTS

Supervisor Duggan:

- 4/20/22- CSAC legislative conference
- 4/22 – LAFCO meeting – opening on the board for Special District Alternate
- 4/26 – CSA 1 meeting
- Update on Long Valley Road Projects
- 4/27 – Wheeler Crest Fire Safe Council Districts Meeting - Presentation from Inyo National Forest
- 4/29 – CSAC sponsored the Affordable Connectivity Briefing
- Thanked Nate Greenberg for his assistance with SCE planned shut down

Supervisor Peters:

- 4/20/22 - CSAC legislative conference and Board of Directors Meeting
- Workshop – Counties in Cannabis
- CHP – New Commander in Bridgeport
- WIR Public Lands Meeting – Bylaw proposed changes that were discussed
- Fishing opener – Many fish that were caught
- Twin Lakes Foundation – did well

Supervisor Corless:

- 4/20/21 – CSAC legislative conference, JEDI

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- 4/27: RCRC and GSFA board meetings—highlights document attached, note new GSFA Member County “Assist-to-Own” Program for Member County employees.
- 4/28: Collaborative Planning Team
- 4/29: Golden State Connect Authority Exec Committee meeting, update on project selection
- 4/30: Valentine Eastern Sierra Reserves, celebration of the Valentine Reserve’s 50th anniversary, note that the SNARL seminar series starts tonight
- 5/2 ESSRP meeting
- Started NACo High Performance Leadership Academy

Supervisor Gardner:

- On Wednesday, April 20 I participated in a call with Yosemite National Park officials, the Lee Vining Chamber of Commerce, and others about the status of the plowing and opening of the Tioga Road this year. The Park started plowing the road on April 15, was slowed a bit by the storm on April 21-22, but has now established one lane to the east entrance. Much more work is needed to ensure sanitation and safety for travelers using the road, and that work will probably consume the next two or three weeks. No date for the actual opening is set yet, but it is expected to be open by the Memorial Day weekend. The lower gate was opened last Friday by Caltrans to enable visitors and residents to gain access all the way to the east gate. Weekly updates to the progress of the road opening are made available on the County Road website at <https://monocounty.ca.gov/roads/page/county-road-closures>.
- On Thursday, April 21 I participated in the meeting of the Regional Oversight Committee for the Eastern Sierra Child Support Services. We reviewed the current program and caseload and discussed plans for the coming year.
- On Thursday the 21st I also spoke with a representative from ChargePoint, a company that installs electric vehicle chargers across the country. We are looking at installing a set of EV Chargers in the June Lake community.
- On Monday April 25 I participated in another planning session for the Children’s Summit set for July 13.
- On Tuesday April 26 I participated in a Zoom session with Justin Nalder and various residents about the Conway Ranch Management and Operations Plan. Justin presented the plans for the coming year and responded to several questions.
- Yesterday I attended a meeting of the NACO Public Lands Committee and Western Interstate Region Board. We heard from county officials interested in serving on the WIR Board.
- Finally, also yesterday I participated in the monthly meeting of the Eastern Sierra Sustainable Recreation Partnership. We heard several updates about pending recreation-related grant and other programs and received briefings from each of the partners.

Supervisor Kreitz:

- CSAC Legislative Conference - 4/20-22 - Gov. Newsom addressed the group on the first day, I attended an informative workshop on the state of Cannabis in California, the Housing, Land Use and transportation committee meeting, and the Women’s Leadership Forum where Senate Pro-Tem Toni Atkins and Secretary of State Dr. Weber spoke to the group. The overall conference was informative and inspirational.
- LAFCO met on April 22; we approved the annual budget. We received an update from the Mammoth Lakes Fire Protection District on their desire to change their sphere of influence to include Reds Lake area of Mammoth Mountain. LAFCO has a call for new member nominations - Special District Members and a Public Member Alternate. Applications are available on the County website.
- Housing - The CCRH Board met for a board meeting April 27th. We discussed a request from some regional COGs for a state general fund request of \$5bb for the state’s Infill Infrastructure Grant (IIG) program and chose not to support the request given both the size of the request and the IIG program’s difficulties being used in rural California. There was a meeting with Anthem Blue Cross’ Housing Manager, Inyo, Mono and Alpine Counties to discuss new funding for housing and homelessness. Given the lack of a CoC administrative entity there’s some slow-down

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in the implementation of the HHAP program and HHIP CCRH held their regular legislative committee meeting - discussed various bills and state budget asks. MLH Board meeting was held on May 2nd. The MLH Board accepted a new marketing plan. There is a deed restricted one bedroom with a garage for sale in Mammoth Lakes. There's also an open board position for a low-income person. And MLH has several open staff position open - all are year round with benefits.

Moved to Item 7B.

ADJOURN AT 2:30 PM.

ATTEST

Bob Gardner

[Bob Gardner \(Aug 21, 2022 17:26 PDT\)](#)

**BOB GARDNER
CHAIR OF THE BOARD**

Queenie Barnard

[Queenie Barnard \(Aug 23, 2022 17:06 PDT\)](#)

**QUEENIE BARNARD
ASSISTANT CLERK OF THE BOARD**